

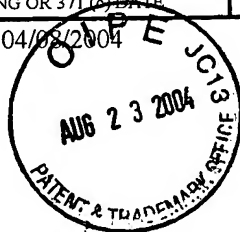


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/822,148	04/08/2004	Peidong Yang	UC03-392-2

8156  
 JOHN P. O'BANION  
 O'BANION & RITCHEY LLP  
 400 CAPITOL MALL SUITE 1550  
 SACRAMENTO, CA 95814



CONFIRMATION NO. 1159

## FORMALITIES LETTER



\*OC000000013037495\*

Date Mailed: 06/23/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/26/2004 BSAYAS11 00000031 10822148

FILED UNDER 37 CFR 1.53(b)

01 FC:2001	385.00 OP
02 FC:2051	65.00 OP
03 FC:2201	86.00 OP
04 FC:2202	153.00 OP

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 48,49,51-54.
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 54,55.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$478 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$1378 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$478
  - \$172 for 2 independent claims over 3.
  - \$306 for 17 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

B. To  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that the foregoing:

**Notice to File Missing Parts of Nonprovisional Application**

is being deposited with the United States Postal Service on 8/23/04 in  
an envelope as "Express Mail Post Office to Addressee" Mailing Label Number  
EV352301769US addressed to the: Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450.

JOHN P. O'BANION

(Type or print name of person mailing paper)



(Signature of person mailing paper)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: PEIDONG YANG, et al.  
Serial No.: 10/822,148  
Filed: APRIL 8, 2004  
For: FLUIDIC NANOTUBES AND DEVICES  
Group: 2811  
Examiner:  
Docket No.: UC03-392-2

**MAIL STOP MISSING PARTS**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22213-1450**

**SUBMISSION OF MISSING PARTS OF APPLICATION**  
**UNDER 37 C.F.R. § 1.53**  
**(SMALL ENTITY)**

Dear Sir:

In response to the Notice to File Missing Parts of Application (PTO-1533) mailed June 23, 2004, a copy of which is enclosed, please find the following documents which are incorporated by reference herein:

1. Combined Declaration and Power of Attorney;
2. Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. 3.71;
3. Assignee Certification Under 37 C.F.R. 3.73(b);
4. Submittal of Replacement Drawing Sheets;
5. Replacement Drawings (4 sheets);
6. Check in the amount of \$689 (\$624 filing fees and \$65 surcharge for the fees due as a small entity);
7. Request for Corrected Filing Receipt w/attached Exhibit A;
8. Assignment Cover Letter w/attached Assignment;
9. Check in the amount of \$40 (assignment recording fee).

The amount due for the filing fees and surcharge has been computed as follows:

CLAIMS AS FILED							
	Number filed			Number Extra		Rate	Basic Fee \$ 385
Total							
Claims 37 CFR 1.16(c)	37	- 20	=	17	X	\$ 9	= 153
Independent							
Claims (37 CFR 1.16(b))	5	- 3	=	2	X	\$43	= 86
Multiple dependent claim(s), if any (37 CFR 1.16(d))					+	\$145	=

Filing Fee Calculation	\$ 624
Surcharge	\$ 65
<b>TOTAL FILING FEE</b>	<b>\$ 689</b>

**Small Entity Statement**

X  Applicant qualifies as a small entity under 37 CFR 1.9 and 1.27

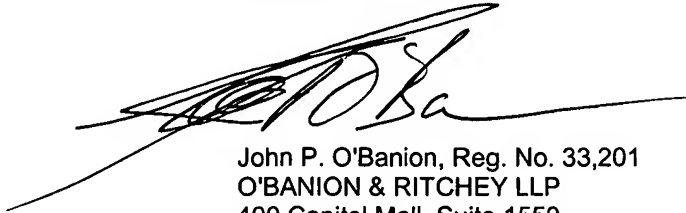
Amount already paid	LESS ( \$ )
<b>TOTAL FILING FEES DUE</b>	<b>\$ 689</b>
___ Assignment recording fee	\$
___ Petition fee	\$ 0
<b>TOTAL FEES DUE</b>	<b>\$ 689</b>

**Applicant qualifies as a Small Entity.**

Having now complied with all of the requirements of 37 C.F.R. 1.53, the Applicants respectfully request that this application be placed upon the files for examination.

Dated: 8/23/09

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. P. O'Banion', with a long horizontal flourish extending to the right.

John P. O'Banion, Reg. No. 33,201  
O'BANION & RITCHEY LLP  
400 Capitol Mall, Suite 1550  
Sacramento, CA 95814  
(916) 498-1010



**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that the foregoing:

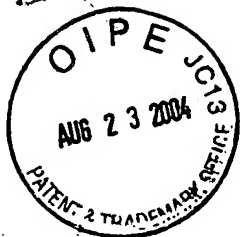
Submittal of Missing Parts of Application Under 37 CFR 1.53

is being deposited with the United States Postal Service on 8/23/04 in  
an envelope as "Express Mail Post Office to Addressee" Mailing Label Number  
EV352301769US addressed to the: Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450.

JOHN P. O'BANION

(Type or print name of person mailing paper)

(Signature of person mailing paper)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl No.: 10/822,148  
Applicant: PEIDONG YANG, et al.  
Title: FLUIDIC NANOTUBES AND DEVICES  
Filed: APRIL 8, 2004  
Group No.: 2811  
Examiner:  
Docket No.: UC03-392-2  
Cust. No.: 8156

Confirmation No. 1159

**Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 22213-1450**

**SUBMITTAL OF REPLACEMENT DRAWING SHEETS**

Dear Sir:

Enclosed please find four (4) replacement drawing sheets containing FIG. 48, FIG. 49, FIG. 51, FIG. 52, FIG. 53, FIG. 54 and FIG. 55.

The enclosed replacement sheets have been amended by modifying the weight of the line quality to allow for electronic reproduction of the images as requested by the Examiner in the Notice of Missing Parts of Nonprovisional Application mailed on 06/23/2004. Please substitute these sheets for the corresponding drawing sheets originally filed.

Date: 8/23/04

Respectfully submitted,

John P. O'Banion, Reg. No. 33,201  
O'BANION & RITCHEY LLP  
400 Capitol Mall, Suite 1550  
Sacramento, CA 95814  
(916) 498-1010





**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that the foregoing:

Submittal of Replacement Drawing Sheets

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JOHN P. O'BANION

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(Signature of person mailing paper)